

CITY OF TALLAHASSEE**CITY COMMISSION AGENDA ITEM**

ACTION REQUESTED ON: November 9, 2005

SUBJECT/TITLE: Introduction of Ordinance #05-O-86 Proposed Annexation of Oak Grove Plantation and Surrounding Parcels

TARGET ISSUE: N/A

Statement Of Issue

The owners of several properties located east of Meridian Road and south of Bannerman Road (just north of Summerbrooke) have petitioned the City for annexation of approximately 130 acres. The property is currently undeveloped with the exception of an old uninhabited homestead home on the larger parcel. Current zoning is LP (Lake Protection).

This annexation is proposed in accordance with Chapter 171.0413(6) F.S. which provides a process for annexation of property when there are no registered electors and owners of more than 70% of the property to be annexed consent. The City Attorney has determined that this annexation fully qualifies under the statutory requirements of Chapter 171, Florida Statutes.

The County was advised of this proposed annexation on October 12, 2005, and a copy of the annexation petition was also forwarded on that date.

Note that the Public Works Department has identified a number of concerns with regard to taking over the street and drainage systems and stormwater facility for this subdivision. Staff will be discussing this matter with the developer prior to the item coming back for public hearing.

Recommended Action

Option 1 – Introduce Annexation Ordinance # 05-O-86 Oak Grove Plantation and surrounding parcels and set public hearing date for November 22, 2005.

Fiscal Impact

Based on the current property tax rate of 3.7 mills, this property would have generated approximately \$12,513 in tax revenues in 2004. Future tax revenues will increase once the properties are developed.

Dinah Hart
Senior Aide to the Mayor

Anita R. Favors Thompson
City Manager

For Information, please contact: Dinah Hart, ext. 8181

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Item Title: Introduction of Ordinance #05-O-86 Proposed Annexation of Oak Grove Plantation and surrounding parcels

SUPPLEMENTAL MATERIAL/Issue Analysis

History/facts & Issues

The owner of property located east of Meridian Road and south of Bannerman Road (just north of Summerbrooke) has petitioned the City for annexation of approximately 130 acres. The property is currently undeveloped. Current zoning is LP (Lake Protection).

This annexation is proposed in accordance with Chapter 171.0413(6) F.S. which provides a process for annexation of property when there are no registered electors and owners of more than 70% of the property to be annexed consent. Oak Grove Plantation has been accepted by Leon County as a subdivision and consists of approximately 22 lots. The developers own most of the lots in the subdivision, as well as an adjoining 38 acre parcel that is undeveloped—annexation petitions were received for all properties owned by the developers, Robert Campbell and Robert Burton. Another adjoining parcel is owned by Wildwood Presbyterian Church and an annexation petition was submitted by the church.

STATEMENT OF URBAN SERVICES

I. Introduction

The purpose of this statement is to provide information on the land use compatibility and level of urban services that will be provided to the proposed annexation of property located in Oak Grove Plantation and surrounding parcels.

II. Land Use

Staff has reviewed the proposed annexation of property located on Meridian and Bannerman Roads in the Oak Grove Plantation and surrounding properties. The parcel tax id numbers associated with this request are on file in the Office of Management and Administration. The properties with one exception are undeveloped. All properties are within the County's Lake Protection (LP) zoning district.

Staff finds the proposal consistent with the Comprehensive Plan, subject to the following provisions of Intergovernmental Element Policy 2.1.4 being adequately met:

- The annexation is in accordance with the requirements of Chapter 172, Florida Statutes as set forth in Policy 2.1.4[I].
- The plan for each annexation, shall be provided by the City Manager to the County Administrator, the County's Growth Management Director and the County Attorney at the time that it is provided to the City Commission, but no less than six (6) days before the first reading of the ordinance. All procedures for review and comment on the annexation as set forth in Policy 2.1.4[I] shall be followed.
- The City shall provide information as to how it will provide full urban services to the area to be annexed pursuant to Policy 2.1.1{I}.
- A description of how land use compatibility will be ensured, pursuant to Policy 2.1.4(a)[I].
- A description of how facilities will be provided and by which entity, pursuant to Policy 2.1.4(b)[I].

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- A description of how the level of service standards will be maintained consistent with the Comprehensive Plan, pursuant to Policy 2.1.4 (c)[I].
- The amount of any agreed upon water and/or sewer rebate that will be due to the petitioner, pursuant to Policy 2.1.4(d)[I].

The following is provided as additional information related to this site:

- This property is in the Lake Protection land use category on the Future Land Use Map. There are several differences in the Lake Protection category depending on whether the property is located in the City or County. The clustering provisions are different: The City permits a density of 1 unit per gross acre as long as the development clusters the units on 25% of the property and the remaining 75% of the lands are maintained in natural open space. In the County clustering is allowed on 40% of the site at a net density of 2 units per acre on the developed portion of the property. The remaining 60% of the site must remain in natural open space. All industrial, office and commercial uses are prohibited in the LP category within the city limits. In the County, minor offices and minor commercial uses may be approved through the PUD process only if development retains its resultant stormwater on site.
- The current Zoning on this property is County LP, which allows low density residential. Uses include single-family, two family, residential design manufactured homes, (townhouse as a restricted use) and cluster housing. The minimum lot size for non-clustered residential development is a 2-acre lot minimum and clustered is a 1-acre lot minimum lot. Other uses include retail trade, offices, services, active recreation and community services (including religious organizations).
- The City's LP zoning district is similar to the County's, but it does not allow manufactured homes, retail trade, office and service uses. The most notable development standard difference is a minimum lot size for cluster developments of 0.05 acres for properties served by central water and sewer.
- The records of the Leon County Property Appraiser indicate that the most eastern tract proposed for annexation contains 1 single family residence that does not have a homestead exemption.
- Neighboring parcels with the exception of the parcel adjacent to the southeast corner of the proposed annexation area are in the county and are zoned LP.
- The parcel adjacent to the eastern side of the most southerly parcel is inside the City Limits and is zoned City LP. The Summerbrooke Subdivision is located generally to the southeast of the lands proposed for annexation and is also inside the City Limits.

The properties proposed for annexation are not in the Bradfordville Sector Plan.

III. Urban Services

The level of urban services that may be provided to the area proposed for annexation will be consistent with the level provided to areas within the City.

- A. Fire Protection Service – The City provides fire protection on an area wide basis. In the corporate limits, the fire department responds to alarms within an average of four (4) minutes. There is a hydrant located across the street on the Northwest corner. Fire station 9 located at 3208 Thomasville Rd. would be the primary response station and it is 3.5 miles away.

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- B. Police Protection Service – Tallahassee maintains a comprehensive law enforcement program. The full range of these services will be provided to the area upon annexation.

- C. Growth Management – Staff has reviewed the proposed annexation and offers the following comments:

Concurrency:

A review of the City's concurrency street inventory indicates that development of the proposed annexation area could exceed City traffic concurrency thresholds on the NB segment of Meridian Road from Timberlane Road to Maclay. However, a definitive determination of whether the development of the parcels would meet concurrency standards would depend upon the actual size and nature of the development, as well as a detailed traffic impact study.

Environmental Management:

1. GIS depicts a drainage easement coming into the property from Thomasville Road. There may or may not be a wetland associated with it. Notwithstanding the wetland issue, a field investigation did not identify any obvious environmental constraints.
2. The front of the lot adjacent to Ox Bottom Road appears to have significant slopes and will require that a Natural Features Inventory and Environmental Impact Analysis be approved before any development on the property is approved/authorized. The stormwater discharges into the Millstream Creek watershed which is not a closed basin. There are no known problems.

Land Use:

The site is currently zoned RP in the county and the city has no such zoning district; a rezoning, likely to RP-1 or RP-2, should be processed in conjunction with the annexation. No other land use issues are evident.

- D. Public Works/Street Maintenance and Right of Way Service – Staff has reviewed the proposed annexation and provides the following comments:

R/W Maintenance Comments:

- 1) At the intersection of Evening Shadow Ct. and Oak Grove Plantation Ct. there is erosion of the right of way occurring due to heavy equipment traversing across this area.
- 2) As per our normal procedure, any landscaping added to the entrance area or in any other right of way area is specifically excluded as it pertains to maintenance provided by the City.

Drainage Maintenance Comments :

- 1) SWMF has dead sod completely around the toe of the slope up 3 ft.
- 2) SWMF emergency overflow is not stabilized with concrete.
- 3) SWMF the facility appears to be a percolation type, the turbidity of the standing water indicates that the bottom of the facility maybe sealed and not functioning.
- 4) SWMF there are numerous areas which require re-vegetation both in the slopes and the working berm.
- 5) SWMF no landscaping has been placed.
- 6) Roadside ditches that have not been concreted have a " V " type flow line which is easily eroded due to confining and thereby increasing the velocity of the storm water flowing through it.

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7) Roadside ditches at the entrance from Meridian Road have dark sections which indicate they are holding water during and after rain events.

Streets Maintenance Comments :

- 1) 8012 Oak Grove- sidewalk transition to driveway is too steep and does not comply with ADA.
- 2) At Evening Shadow Ct- Truncated domes does not comply with ADA.
- 3) North of Evening Shadow Ct- No 2' recovery behind sidewalk.
- 4) At Oak Grove cul-de-sac - Truncated domes does not comply with ADA.
- 5) At Evening Shadow Ct cul-de-sac - Truncated domes does not comply with ADA.
- 6) At Evening Shoulder Ct- shoulder is in disrepair.
- 7) Paved ditch is not trapezoidal. Does this create maintenance/drainage conveyance issue?
- 8) At Meridian Rd Entrance- sidewalk ends short of Meridian and truncated domes do not comply with ADA.
- 9) Who will maintain median?
- 10) Blocker Circle is unpaved ---DO NOT ACCEPT UNPAVED ROADWAY.
- 11) Blocker Circle does not have proper connection to Bannerman (appears to be included with driveway).

Streets and Drainage recommends that NO ANNEXATION occur until all deficiencies are corrected and construction meets City standards.

Engineering Division comments:

The street typical section is an open ditch and not the City standard of curb and gutter. In addition to the 60 foot wide right-of-way there is a five foot wide drainage easement, and a 10 foot wide drainage/sidewalk/utility easement outside and parallel to the right-of-way. As noted by Streets and Drainage the pond bottom is not functioning as a filter and needs to be reconstructed or a side filter installed if an outfall is available to discharge to. There are many drainage easements along common lot lines to convey offsite water between houses.

Oak Grove Plantation Unit 1 and Unit 2 do not follow the suggested city limits and the plats themselves indicate nuisance strip areas between the plat boundaries and the parent land tract.

Real Estate Division comments:

Ownership of the public right-of-way is Leon County.

There is approximately 79 acres of undeveloped land adjacent to Oak Grove Plantation Unit 1 and 2 within the proposed annexation, 26 acres belonging to Wildwood Presbyterian Church and 53 acres belonging to Robert Burton, who also was part owner of the platted land. There are 60 foot wide plus 30 foot wide drainage/utility/ sidewalk access easements to the 79 acre and 53 acre areas reserved to the developer of the platted land from the platted land.

Traffic Engineering Division comments:

The cost to Traffic Engineering Division is Approx. \$130.00 per year to maintain existing signs and pavement markings.

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- E. Street Lighting – Tallahassee has a comprehensive program for the installation and maintenance of streetlights. The estimated cost for installation of streetlights is \$60,000.
- F. Parks and Recreation Services – The City provides a comprehensive Parks and Recreation program and system of parks for its citizens. The site under consideration for annexation would be served by E.K. Phipps Park, Forestmeadows Athletic Complex, Meridian Youth Sports Complex and Meadows Soccer Complex. These parks offer a variety of active and passive facilities for this area.
- G. Bus Service – The City owns and operates a public transit system. Annually, a system-wide analysis is performed to evaluate bus service within all areas of the corporate limits. The nearest bus stop to Oak Grove Plantation and surrounding properties is on Route 16 at Village Square Blvd. on Thomasville Road, which is approximately three (3) miles. Additionally, the Dial-a-Ride program, a specialized transportation service for citizens who are disabled, will be extended to this area upon annexation. The Dial-a-Ride program is also available to citizens over the age of 60 on a space available basis.
- H. Electric Service – The City currently provides electric service to this area. Extension of electric service to new customers in the area will be in accordance with established policy and other utility agreements.
- I. Water and Sewer Service – City water and sewer service is available in Oak Grove Plantation and stub-outs are available for the adjacent properties. The water and sewer extensions to the adjacent properties will be eligible for on-site refunds. No refunds will be made for the existing water and sewer in Oak Grove Plantation.
- J. Gas Service – Gas is available to Oak Grove Plantation and surrounding properties.
- K. Stormwater Service – Stormwater services to the area will be provided at the same level as currently provided to areas within the City.
- L. Solid Waste Service – Solid waste service for these parcels is readily available.

Options

Option 1 – Introduce Annexation Ordinance # 05-O-86 Oak Grove Plantation and surrounding parcels and set public hearing date for November 22, 2005.

Option 2 – Set another date for public hearing.

Option 3 – Do not proceed with the proposed voluntary annexation.

Recommendations

Option 1 – Introduce Annexation Ordinance # 05-O-86 Oak Grove Plantation and surrounding parcels and set public hearing date for November 22, 2005.

Attachments/References

Attachment 1 – Proposed Ordinance #05-O-86

Attachment 2 – Location Map